

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. PATENT & TRADEMARK OFFICE
SEP 01 2004
In re the Application of) Examiner: Anne R. Kubelik
Pat Maliga et al.) Art Unit: 1638
Serial No. 09/762,105)
Filed: April 23, 2001)
For: "Translation Control)
Elements for High-Level)
Protein Expression in the)
Plastids of Higher Plants")

PETITION FOR ACCEPTANCE OF
COLOR DRAWINGS UNDER 37 C.F.R. §1.84(a)(2)

Pursuant to 37 C.F.R. §1.84(a)(2), Applicants in the above-identified patent application hereby petition that the color drawings of Figures 24A-24F submitted herewith be accepted for filing in this application. Figures 24A-24F comprise a series of laser scanning confocal microscopy images of cells to detect the presence of FLARE-S and chlorophyll. The detection of the two proteins is performed using a pair of detectable labels of different colored fluorescence. Indeed, FLARE-S and chlorophyll fluorescence were detected separately in the fluorescein (green) and rhodamine (red) channels, respectively. See Example 8 of the specification for a more complete description of the data shown.

Accompanying this petition are the following:

- 1) The fee of \$130.00 set forth in 37 C.F.R. §1.17(h); and
- 2) A black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing.

An amendment to the specification to insert the following language: "The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be

provided by the Office upon request and payment of the necessary fee." is being submitted to the patent office under a separate paper in response to the outstanding Official Action in this application.

In the event the enclosed check is improper, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Deposit Account No. 04-1406. A duplicate copy of this petition is attached.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

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